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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,858	05/01/2001	Tetsujiro Kondo	450101-02921	3568

20999 7590 10/08/2008
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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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10/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/830,858	Applicant(s) KONDO ET AL.	
	Examiner YOGESH K. AGGARWAL	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25,27-45,51-58 and 70-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25,27-45,51-58 and 70-84 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments, filed 07/03/2008, with respect to the rejection(s) of claim(s) 53 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Examiner's response:

2. Applicant argues with regards to claim 25 that Background art or applicant's admitted prior art fails to teach how the correction of distortion is carried out. The Examiner disagrees.

Applicant's admitted prior art in Paragraph 8 teaches

"the information of the real world having the space and the time axis is acquired by a sensor and made into data. The data acquired by the sensor is the information obtained on projecting the information of the real world in the time and space of a lower dimension than the real world. So, the information obtained on projection is distorted due to projection. Stated differently, the data output by the sensor is distorted relative to the information of the real world. Moreover, the data, distorted by projection, also includes the significant information for correcting the distortion".

Therefore the second signals generated by the sensor has information for correcting the distortion. Itokawa is used to teach signal processing means for extracting the significant information, buried by performing signal processing which is based on said second signals (containing significant information).

3. Applicant arguments regarding claim 53 are persuasive. Therefore a new rejection would be issued.

4. Applicant argues with regards to claim 70 that Astle fails to teach "a separating unit configured to separate said mixed area in units of a pixel into said foreground object component and said background object component based on the specified results by said area specifying unit and said mixing ratio". The Examiner respectfully disagrees. Astle teaches at col. 9 line 35+ that a relatively simple bitmap may be utilized in which one bit per pixel indicates foreground or

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background. Astle further teaches at col. 7 line 60+ that a separation bitmap 303 as shown in figure 3 is binary i.e. a bit plane comprising one bit per pixel. Therefore each bit for each pixel represents either a foreground or a background. Hence the separation of the foreground and background is clearly taught. The next argument is that this separation is based on the specified results by said area specifying unit and said mixing ratio. The area specifying part is inherent since without this information the foreground and background separation is not possible. The system separating unit has to know the area where the foreground and background areas are in order to separate them. Finally Astle also teaches in col. 10 lines 8-20 specifying a foreground pixel F and a background pixel B based upon blending ratio R that is the amount of mixing between foreground and foreground. As stated in equation $F = P/R - (R-1)*B/R$ And the value of the blended pixel is given by: $P = R * F + (R-1) * B$ Therefore foreground and background pixel (F and B) have been determined based on the mixing ratio (R) and an area specifying means that specifies the background, foreground and mixed areas.

5. Applicant argues with regards to claim 70 that Astle does not teach how a separation bitmap is made from a natural image. The Examiner respectfully agrees. Figure 5 clearly teaches a decoding system that updates the bitmaps from an image (col. 10 lines 37-49). Furthermore this part is not even claimed. Therefore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how a separation bitmap is made from a natural image) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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6. Applicant argues with regards to claim 74 that Astle fails to teach a mixing ratio detecting unit configured to detect a mixing ratio between said foreground object components and said background object components at least in said mixed area based on the results specified by said area specifying unit and areas before and after said mixed area, as recited in claim 74. Applicant argues that this feature is recited in figure 42. The Examiner disagrees. Figure 42 of applicant's specification talks about a previous frame and next frame from the current frame. However the claim only recites that "area specifying unit and areas before and after said mixed area". Therefore this claim is very broad that it does not recite that the areas before and after belong to a previous and next frame. Therefore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., areas before and after belong to a previous and next frame) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 25, 27-45, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Itokawa (US Patent # 6,404,901).

[Claim 25]

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9. Applicant's admitted prior art teaches a signal processing apparatus comprising means for acquiring second signals of a second dimension by projecting first signals as real-world signals of a first dimension on a sensor and by detecting the mapped signals by said sensor, said second dimension being lower than said first dimension, wherein said significant information is information for adjusting distortion produced by projection (Paragraph 8).

Applicant's admitted prior art fails to teach signal processing means for extracting the significant information, buried by performing signal processing which is based on said second signals and adjusting distortion produced by projection according to the significant information.

However Itokawa teaches boundary area specification as taught in col. 10 lines 45-59, figure 28 and the specifying the background and foreground areas (col. 10 lines 14-44, figure 28), said significant area (boundary area) containing the significant information buried by said projection is extracted (shape information being represented by a mixing ratio of the foreground and background as represented by equation 1, col. 10 line 60 is read as significant information).

Therefore taking the combined teachings of Applicant's admitted prior art and Itokawa, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have signal processing means for extracting the significant information by performing signal processing which is based on said second signals and adjusting distortion produced by projection according to the significant information in order to easily perform a natural image synthesization while accurately reducing the boundary portion thereby making the image quality better for the user.

[Claim 27]

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Applicant's admitted prior art teaches a CCD wherein a CCD is inherently made up of a plurality of detection elements having time integrating effects (shutter time, Paragraphs 4-6), said acquisition means acquiring a plurality of detection signals for said respective detection elements, as detected by said sensor, as said second signals, said distortion being the distortion caused by the time integrating effect (Paragraphs 7-10, It is noted that the motion blur increases or decreases with the increase in the time integration of a CCD. Therefore the distortion due to motion blur is caused due to the time integrating effects of a CCD).

[Claim 28]

Itokawa teaches wherein said acquisition means acquire said detection signals of a plurality of time units (figures 12a and 12b, col. 6 lines 61-65), as detected by plural detection elements of said sensor every predetermined time unit; said signal processing means extracting said significant information for said second signal of a desired time based on plural detection signals of said plural time units (col. 7 lines 23-33, figure 14a-14e teach calculating motion vectors based on signals acquired by plural detection elements of the image sensor at plural time units).

[Claim 29]

Applicant's admitted prior art teaches wherein said second signals are picture signals (e.g. Paragraphs 2-4 teach a CCD that generates picture signals).

[Claim 30]

Itokawa teaches wherein said signal processing means includes area specifying means for specifying a significant area (boundary area specification as taught in col. 10 lines 45-59, figure 28) and the other areas in said second signal (col. 10 lines 14-44, figure 28, specifying the background and foreground areas), said significant area (boundary area) containing the

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significant information buried by said projection (shape information being represented by a mixing ratio of the foreground and background as represented by equation 1, col. 10 line 60), outputting the area information specifying the specified area as said significant information (col. 10 lines 62-66, figure 29 shows mixed area pixels 702 and 703 and figure 31 shows the shape information comprising mixing ratio as taught in col. 11 lines 21-26).

[Claim 31]

See Examiner notes regarding rejection of claim 30.

[Claim 32]

Itokawa teaches wherein said area information contains the information for discriminating said mixed area into a covered background area and an uncovered background area (col. 6 lines 30-32).

[Claim 33]

Itokawa teaches wherein said signal processing means further includes significant information extracting means for extracting said significant information from an area containing said significant information specified by said area specifying means (shape information being represented by a mixing ratio of the foreground and background as represented by equation 1, col. 10 line 60 and figure 31 shows the shape information comprising mixing ratio as taught in col. 11 lines 21-2)

[Claim 34]

Itokawa teaches wherein said significant information specifies a mixing ratio of said foreground components and the background components in said mixed area of said second signal made up of a foreground area comprised only of foreground object components constituting the foreground

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objects, a background area comprised only of background object components constituting the background objects and a mixed area mixed from said foreground object components and said background object components (See equation 1 comprising mixing ratio of foreground area as A, background area as B and boundary area as M, col. 10 line 60).

[Claim 35]

Itokawa teaches wherein said signal processing means further includes distortion adjustment means for adjusting the amount of distortion produced in said second signal by said projection based on said significant information (col. 1 lines 58-67 teach a motion blur being generated in the mixed area and col. 8 lines 30-49, figure 8 teach a motion compensation unit for adjusting the amount of motion blur).

[Claim 36]

Itokawa teaches motion compensation 108 (figure 8) that reduces the amount of said distortion.

[Claim 37]

Itokawa teaches motion compensation 108 (figure 8) that reduces the amount of said distortion (col. 5 lines 47-50) and therefore is considered to eliminate the amount of distortion. It is noted that the claim is broad and does not recite completely eliminating the amount of distortion.

[Claim 38]

Itokawa teaches wherein said distortion is movement blurring produced in said foreground object (col. 1 lines 58-67 states motion blur due to foreground objects and col. 6 lines 60-65 teach that the foreground object is moving and the background is not moved.).

[Claim 39]

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Itokawa teaches wherein said signal processing means further includes object movement detection means for detecting the movement quantity of said foreground object (col. 7 lines 23-34, figures 14a-14e); and wherein said distortion adjustment means adjusts the quantity of movement blurring which is said distortion based on said movement quantity of said foreground object (e.g. motion compensation block 108 adjusts the motion blur of the movement block).

[Claims 40-45]

See Examiner's notes regarding rejection of claims 34-39 respectively.

[Claims 51 and 52]

These are method and computer-readable claims corresponding to apparatus claim 25. Therefore they have been analyzed and rejected based upon apparatus claim 25.

10. Claims 53-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Astle (US Patent # 5,812,787) and further in view of Riek et al. (US Patent # 5,774,183).

[Claim 53]

Applicant's admitted prior art teaches a signal processing apparatus comprising signal acquisition means for acquiring a second signal by detecting a first signal as a real world signal of a first dimension by a sensor, said second signal being of a second dimension lower than said first dimension and containing distortion caused by integrating effects of said sensor with respect to said first signal (Paragraph 8). AAPA fails to teach wherein the motion blur is caused by the integrating effects of the sensor and a signal processor configured to extract significant information buried by projection from said second signal by performing signal processing on

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said second signal and to generate a third signal alleviated in distortion as compared to said second signal according to the significant information.

However Riek teaches that images recorded on film or video by cameras have a characteristic degree of motion blur associated with them due to camera integration effects, for example caused by the finite-open period of a shuttered camera (col. 1 line 13+).

Therefore taking the combined teachings of Applicant's admitted prior art and Riek, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have distortion caused by integrating effects of said sensor with respect to said first signal in AAPA as taught by Rick in order to determine the problem of motion blurring and alleviate the effects by increasing the shutter speed.

AAPA in view of Riek fails to teach and a signal processor configured to extract significant information buried by projection from said second signal by performing signal processing on said second signal and to generate a third signal alleviated in distortion as compared to said second signal according to the significant information.

However Astle teaches extracting significant information (blending ratio R) in col. 9 line 48-col. 10 line 36 and motion compensation on the foreground signals based on the blending ratio R in the vicinity of foreground and background pixels corresponding to a desired bitmap 401 and based on bitmaps 301 and 401 acquired at different times. Astle teaches separating foreground and background components from the output of the sensor (col. 7 line 18 - col. 8 line 53, figures 1-4) and the foreground objects that move are motion compensated thereby generating a third signal that is alleviated in distortion as compared to said second signal (col. 9 lines 3-33, col. 10 lines 32-36).

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Therefore taking the combined teachings of Applicant's admitted prior art, Astle and Riek, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a signal processor configured to extract significant information buried by projection from said second signal by performing signal processing on said second signal and to generate a third signal alleviated in distortion as compared to said second signal according to the significant information in order to have a picture that is high in quality compared to the distorted signal thereby the photographs look better to the user.

[Claim 54]

Applicant's admitted prior art teaches wherein said sensor is made up of a plurality of detection elements having time integrating effects as said distortion (Paragraphs 4-6 describe a CCD that has plurality of pixels and uses electronic shuttering that is the same as integrating time of the CCD in order to remove the distortion), said acquisition means acquiring a plurality of detection signals detected by said sensor for said respective detection elements as said second signals (Paragraphs 4-6). Astle teaches separating foreground and background components from the output of the sensor (col. 7 line 18 - col. 8 line 53, figures 1-4) and the foreground objects that move are motion compensated thereby generating a third signal that is alleviated in distortion (col. 9 lines 3-33, col. 10 lines 32-36). It is noted that by compensating the motion blurred signal, the third signal is also alleviated in time integrating effects due to the time integration operation of the CCD because the motion blur increases or decreases with the increase in the time integration of a CCD. Therefore by compensating the motion blur as taught in Astle, the time integrating effects of a CCD are also alleviated.

[Claim 55]

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Astle teaches wherein if a first object in the real world and a second object performing relative movement with respect to the first object are detected by said sensor (col. 7 line 18 - col. 8 line 53, figures 1-4), said signal processing means alleviates, by said signal processing, the distortion caused by the mixing of said first object and the second object due to time integrating effects of said sensor in the vicinity of a boundary between said first and second objects (col. 9 lines 17-col. 10 line 36). See the explanation in claim 54 regarding time integrating effects.

[Claim 56]

Astle teaches wherein said acquisition means acquire said detection signals of a plurality of time units, as detected by plural detection elements of said sensor every predetermined time unit (col. 8 line 21-col. 9 line 20, figures 3 and 4 teach how bitmaps 301 and 401 acquire two frames at different time units); said signal processing means alleviating, by said signal processing, the distortion caused in the vicinity of the boundary between said first and second objects represented by said second signal corresponding to a desired time unit based on said detection signal of plural time units (col. 9 line 48-col. 10 line 36 teach motion compensation on the foreground signals based on the blending ration R in the vicinity of foreground and background pixels corresponding to a desired bitmap 401 and based on bitmaps 301 and 401 acquired at different times).

[Claim 57]

Astle teaches wherein if a first object in the real world and a second object performing relative movement with respect to the first object are detected by said sensor, said signal processing means separates one of said first and second objects, from said first and second objects mixed in

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said second signal, to output the separated one of said first and second objects as said third signal (col. 7 line - col. 8 line 40, figure 3).

[Claim 58]

Astle teaches wherein said sensor converts light, as said first signal, into picture signals, as said second signal, by photoelectric conversion (col. 4 lines 50-65).

11. Claims 70-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Astle (US Patent # 5,812,787).

[Claim 70]

Astle teaches a signal processing apparatus (figures 1-5) for processing a predetermined number of detection signals acquired by a video camera (col. 4 lines 52-62). A video camera inherently is made up of a predetermined number of detection elements having time integrating effects. Astle further teaches that the signal processing apparatus comprises area specifying means for specifying a foreground area made up only of foreground object components constituting an foreground object (col. 7 line 66-col. 8 line 3 teaches a separate foreground bitmap), a background area made up only of background object components constituting a background object (col. 7 lines 28-37, figure 3, background bitmap 302), and a mixed area mixed from said foreground object components and the background object components (col. 7 lines 37-39); mixing ratio detector detecting a mixing ratio of said foreground object components and said background object components at least in said mixed area (col. 9 line 48-col. 10 line 20); Astle teaches at col. 9 line 48-col. 10 line 5 that In this case, as will be appreciated by those skilled in the art, to avoid an artifact along the boundary, pixel B.sub.1 is set equal to the previous background pixel at that location, while B.sub.2 is a blend of 75% background, 25% foreground

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object pixel. Therefore clearly a separating unit configured to separate said mixed area in units of a pixel into said foreground object component and said background object component. Astle further teaches a separation bitmap that may contain a plurality of bits per pixel location to indicate a foreground/background mix to be used to construct the displayed bitmap (col. 9 lines 37-41). Astle teaches that a separation bitmap identifies which portion is foreground and which portion is foreground (col. 7 lines 37-39). Therefore a separation bitmap is based on area of the foreground and background pixels. Astle also teaches in col. 10 lines 8-20 specifying a foreground pixel F and a background pixel B based upon blending ratio R that is the amount of mixing between foreground and foreground. As stated in equation

$$F=P/R-(R-1)*B/R$$

And the value of the blended pixel is given by:

$$P=R*F+(R-1)*B$$

Therefore foreground and background pixel (F and B) have been determined based on the mixing ratio (R) and an area specifying means that specifies the background, foreground and mixed areas.

[Claim 71]

Astle teaches movement blurring quantity adjustment means for adjusting the movement blurring quantity of said foreground object (col. 9 lines 3-33, col. 10 lines 32-36).

[Claims 72, 73]

These are method and computer-readable claims corresponding to apparatus claim 70. Therefore they have been analyzed and rejected based upon apparatus claim 70.

[Claims 74-76]

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See Examiner notes regarding rejection of claims 70 and 71.

[Claim 77]

Astle teaches detecting motion vectors only for foreground objects (col. 8 lines 4-5) movement blurring quantity adjustment means for adjusting the movement blurring quantity of said foreground object based on the detected movement (col. 9 lines 3-33, col. 10 lines 32-36).

[Claims 78, 79]

These are method and computer-readable claims corresponding to apparatus claim 74. Therefore they have been analyzed and rejected based upon apparatus claim 74.

[Claims 80-82]

See Examiner notes regarding rejection of claims 70, 71 and 77 respectively.

[Claims 83, 84]

These are method and computer-readable claims corresponding to apparatus claim 80. Therefore they have been analyzed and rejected based upon apparatus claim 80.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOGESH K. AGGARWAL whose telephone number is (571)272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Yogesh K Aggarwal/
Primary Examiner, Art Unit 2622